



Our Docket No.: 005876.P002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vincent Jen, Jr. Gau

Application No.: 09/848,727

Filed: May 3, 2001

For: BIOLOGICAL IDENTIFICATION
SYSTEM WITH INTEGRATED
SENSOR CHIP

Examiner:

Art Group: 1645

MAR 19 2002
TECH CENTER 1600/2900

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RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application mailed August 9, 2001, Applicant submits a substitute specification in compliance with 37 C.F.R. 1.125(b). Applicant submits that the substitute application includes no new matter.

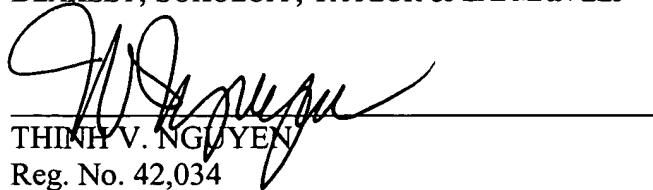
Enclosed please find:

1. A marked up copy of the substitute specification showing the matter being added to and the matter being deleted from the specification of record.
2. A substitute specification in clean form without markings.
3. A petition for extension of time and payment in the amount of \$260.00.
4. A copy of the Notice of File Missing Parts of the Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



THINH V. NGUYEN
Reg. No. 42,034

Dated: March 11, 2002

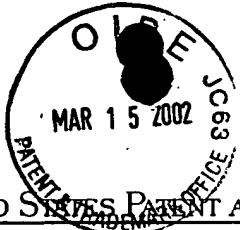
12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(714) 557-3800

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: March 11, 2002.



Barbara Hayashi



UNITED STATES PATENT AND TRADEMARK OFFICE

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Page 1 of 2

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/848,727	05/03/2001	Jen-Jr. Gau	264/029

22249
LYON & LYON LLP
SUITE 4700
633 WEST FIFTH STREET
LOS ANGELES, CA 90071-2066

CONFIRMATION NO. 8418

FORMALITIES LETTER



OC000000006403923

FR

Date Mailed: 08/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

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FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

AUG 13 2001

U.S. PROSECUTION

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$780.
 - \$540 for 30 total claims over 20.
 - \$240 for 3 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1620.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

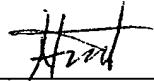
- The specification contains drawings or flow diagrams (37 CFR 1.58(a)). Formal drawings in accordance with 37 CFR 1.81 should be submitted.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604

(September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at
patin21help@uspto.gov or patin3help@uspto.gov**

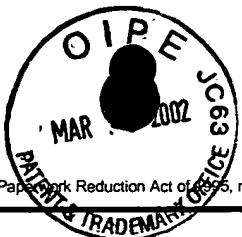
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



16458

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **322**

Application No. **09/848,727**

Filing Date **May 3, 2001**

First Named Inventor **Vincent Jen, Jr. Gau**

Group Art Unit **1645**

Examiner Name

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Attorney Docket Number **5876P002**

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ENCLOSURES (check all that apply)

Fee Transmittal Form

Assignment Papers
(for an Application)

After Allowance Communication
to Group

Fee Attached

Drawing(s)

Appeal Communication to Board
of Appeals and Interferences

Amendment / Response

Licensing-related Papers

Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

After Final

Petition

Proprietary Information

Affidavits/declaration(s)

Petition to Convert a
Provisional Application

Status Letter

Extension of Time Request

Power of Attorney, Revocation
Change of Correspondence Address

Other Enclosure(s)
(please identify below):

Express Abandonment Request

Terminal Disclaimer

1. Substitute Specification
2. Marked-up Specification

Information Disclosure Statement

Request for Refund

Certified Copy of Priority
Document(s)

CD, Number of CD(s)

Response to Missing Parts/
Incomplete Application

Remarks

Response to Missing
Parts under 37 CFR
1.52 or 1.53

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name **Thinh V. Nguyen, Reg. No. 42,034**

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Signature

Date **March 11, 2002**

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

March 11, 2002

Typed or printed name **Barbara Hayashi**

Signature

Date

March 11, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

MAP 15 JUN 2002

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 980.00)

Complete if Known

Application Number	09/848,727
Filing Date	May 3, 2001
First Named Inventor	Vincent Jen, Jr. Gau
Examiner Name	
Group/Art Unit	1645
Attorney Docket No.	5876P002

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MAP 15 JUN 2002

METHOD OF PAYMENT (check one)

Check Credit card Money Order Other None

Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
- Charge any additional fee(s) during the pendency of the application
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee
SUBTOTAL (1)		(\$)		

2. EXTRA CLAIM FEES

Total Claims	50	**	=	Extra Claims	X	Fee from below	=	Fee Paid
Independent Claims	6		=		X		=	
Multiple Dependent								

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple Dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)		

**or number previously paid, if greater. For Reissues, see below

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920 * Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840 * Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	400	216 200 Extension for reply within second month	
117	920	217 460 Extension for reply within third month	
118	1,440	218 720 Extension for reply within fourth month	
128	1,960	228 980 Extension for reply within fifth month	980.00
119	320	219 160 Notice of Appeal	
120	320	220 160 Filing a brief in support of an appeal	
121	280	221 140 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,280	241 640 Petition to revive - unintentional	
142	1,280	242 640 Utility issue fee (or reissue)	
143	460	243 230 Design issue fee	
144	620	244 310 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify)			
SUBTOTAL (3)		(\$)	

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 980.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Thinh V. Nguyen	Registration No. (Attorney/Agent)	42,034	Telephone	(714) 557-3800
Signature				Date	03/11/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

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